

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 05-168 (JDB)</b>
	:	
<b>v.</b>	:	
	:	
<b>LYNWOOD T. DAVIS</b>	:	
<b>Defendant.</b>	:	

**GOVERNMENT'S MOTION FOR LEAVE TO LATE FILE  
ITS OPPOSITION TO DEFENDANT'S MOTIONS TO  
SUPPRESS EVIDENCE AND STATEMENTS**

Pursuant to Federal Rule of Criminal Procedure 45(b), the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully moves this Honorable Court for leave to file the Government's Opposition to Defendant's Motions to Suppress Evidence and Statements, one week late. As a basis for this request the United States now says:

1. Counsel for the defendant filed his Motions to Suppress Evidence and Statements on June 16, 2005. Government responses were due on June 28, 2005.
2. Government counsel sought and obtained permission to file a response late due to pre-scheduled leave and because she learned that she was to be transferred to a new assignment and had to ready her current caseload for the transfer to take place.
3. On July 13, 2005, the Court granted the Government's motion and ordered that the Government's response would be due on July 22, 2005.
4. Yesterday, on July 21, 2005, the file in this case was transferred to the Government's new counsel, an attorney in the Organized Crime and Racketeering Section of the Criminal Division.
5. New Government counsel has not had an opportunity to read the file and prepare

the response.

WHEREFORE, the Government respectfully requests that the Court grant it a one week extension of the due date of its response in order to allow new Government counsel adequate time to prepare an informed response.

Respectfully submitted,

KENNETH L. WAINSTEIN  
United States Attorney

/S/

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Bruce G. Ohr  
Chief  
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Racketeering Section  
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	:	
<b>LYNWOOD T. DAVIS</b>	:	
<b>Defendant.</b>	:	

**ORDER**

WHEREUPON, having considered the United States' Motion for Leave to Late File its Opposition to Defendant's Motions to Suppress Evidence and Statements, it is hereby

**ORDERED**, that the United States' motion is hereby GRANTED. It is further

**ORDERED**, that the United States shall file oppositions to Defendant's motions to suppress by not later than July 29, 2005, and Defendant shall file any replies by not later than August 11, 2005.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
JOHN D. BATES  
U.S. DISTRICT COURT JUDGE

Copies to:

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused a copy of the foregoing to be served by Electronic Filing upon the attorney for the defendants, Charles F. Daum, Esq., 736 5<sup>th</sup> Street, N.E., Washington, D.C. 20002, charlesdaum@verizon.net.

\_\_\_\_\_/S/\_\_\_\_\_  
Bruce G. Ohr